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HOUSE JOINT MEMORIAL 23
46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004
INTRODUCED BY
Ray Begaye

A JOINT MEMORIAL

REQUESTING THE UNITED STATES CONGRESS, THE INDIAN HEALTH SERVICE AND, SPECIFICALLY, THE NEW MEXICO CONGRESSIONAL DELEGATION TO RESOLVE THE FUNDING SITUATION INVOLVING THE ALBUQUERQUE AREA URBAN INDIANS, THE ALBUQUERQUE INDIAN HOSPITAL AND THE SOUTHWEST INDIAN POLYTECHNIC INSTITUTE DENTAL CLINIC AND TO INCORPORATE NEW LANGUAGE INTO THE INDIAN HEALTH CARE IMPROVEMENT ACT TO PROVIDE FOR DIRECT AND CONTINUED FUNDING OF THE ALBUQUERQUE AREA INDIAN HEALTH SERVICE FOR THE THIRTY-THREE THOUSAND ALBUQUERQUE AREA URBAN INDIANS.

WHEREAS, primary medical and dental care for the approximately thirty-three thousand American Indians representing over two hundred tribes residing in and around the city of Albuquerque is provided by the Indian health service and the Albuquerque service unit, through the Albuquerque

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1 Indian hospital and the southwest Indian polytechnic institute
2 dental clinic, which are funded annually by the United States
3 congress; and

4 WHEREAS, approximately forty percent of the thirty-three
5 thousand American Indians living in the Albuquerque area are
6 Navajo Indians who, in addition to receiving basic health care
7 from the Indian health service, were eligible for contract
8 health care provided by the Albuquerque Indian hospital until
9 2002 when the eligibility for contract health service was
10 terminated; and

11 WHEREAS, contracting, as directed by Public Law 93-638,
12 has adversely impacted the health care delivery system for the
13 thirty-three thousand Albuquerque area urban Indians by
14 eliminating or greatly reducing health care services now
15 available to them through the Indian health service Albuquerque
16 service unit because all funds appropriated by the United
17 States congress through the Indian health service are being
18 contracted or are available for contracting to tribes or
19 pueblos in the Albuquerque service unit; and

20 WHEREAS, in October 2000, the Albuquerque Indian hospital
21 and the southwest Indian polytechnic institute dental clinic
22 were to be closed for the reasons cited above, but urban Indian
23 representatives, with the support of tribes from the
24 surrounding area and New Mexico congressional representatives,
25 managed to keep them open with a special one-million-dollar

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1 (\$1,000,000) congressional appropriation; and

2 WHEREAS, the Albuquerque Indian hospital has reduced
3 health care services in the short term, and may be forced to
4 close in the long term if local tribes and pueblos under the
5 Indian health service Albuquerque service unit continue to
6 contract all available health care services from the
7 Albuquerque area Indian health service; and

8 WHEREAS, Albuquerque area urban Indian representatives
9 support the local tribes and pueblos in taking over the Indian
10 health service health care delivery system but, in return,
11 request the support of tribes and pueblos to keep the health
12 care services available to the thirty-three thousand
13 Albuquerque area urban Indians; and

14 WHEREAS, the Indian Health Care Improvement Act, now
15 before the United States congress for action, fails to provide
16 for continued health care services and federal funding through
17 the existing urban Albuquerque area Indian health service
18 facility for the Albuquerque area urban Indian users and, thus,
19 is in conflict with the federal Snyder Act of 1921; and

20 WHEREAS, although Public Law 93-638 requires the Indian
21 health service to consult with Indian communities on health
22 issues and while tribes and pueblos are represented on the
23 Indian health service Albuquerque service unit board, which is
24 organized for providing advice on funding and other health
25 policy issues, the board does not have a similar system of

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1 receiving public input on matters that affect the grassroots
2 Albuquerque area urban Indian community and, in fact, a request
3 for grassroots urban Indian representation on the Indian health
4 service Albuquerque service unit board was previously denied by
5 the Albuquerque area Indian health service;

6 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
7 STATE OF NEW MEXICO that the United States congress, the United
8 States department of health and human services, the Indian
9 health service and, specifically, the New Mexico congressional
10 delegation be requested to resolve the funding dilemma at the
11 Albuquerque service unit of the Indian health service so that
12 the thirty-three thousand urban Indians, including many
13 Navajos, in the Albuquerque area continue to receive adequate
14 health care services through the Albuquerque area Indian health
15 service, the southwest Indian polytechnic institute dental
16 clinic and the Albuquerque Indian hospital; and

17 BE IT FURTHER RESOLVED that the United States congress be
18 urged to direct the Indian health service to establish a formal
19 advisory group of grassroots Albuquerque area urban Indian
20 representatives to work together with the Albuquerque area
21 Indian health service to address Indian health service
22 Albuquerque service unit funding and other Indian-related
23 issues; and

24 BE IT FURTHER RESOLVED that the United States congress be
25 requested to amend Public Law 94-437, Title V, Section 512 by

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1 inserting the following language:

2 "Notwithstanding any other provisions of law, the
3 Albuquerque area Indian health service dental clinic and
4 hospital, which now service urban American Indians residing in
5 the Albuquerque area, shall continue to serve urban Indians and
6 be further designated, in addition to continuing to service
7 tribes, as a service or operating unit in the allocation of
8 additional resources and coordination of care for the
9 Albuquerque area urban Indian population and, as such, those
10 resources specifically appropriated by the United States
11 congress and health care reserved for the urban Indian user
12 population shall not be subject to the provisions of the Indian
13 Self-Determination and Education Assistance Act and, further,
14 such designated urban service unit shall establish, with input
15 by the Albuquerque area grassroots urban Indian community, an
16 urban Indian advisory group to further the consultation
17 provisions of this Act."; and

18 BE IT FURTHER RESOLVED that copies of this memorial be
19 transmitted to the New Mexico congressional delegation.

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